

A bill to be entitled an act to define the boundary lines of the county of Matagorda : read second time, and

On motion of Mr. Phillips, referred to the committee on Counties and County Boundaries.

A bill to be entitled an act to inhibit the introduction into this State of slaves who have committed high crimes in the States or Territories of the United States, or elsewhere : read second time, and

On motion of Mr. Cuny, referred to the committee on the Judiciary.

A bill to be entitled an act to amend an act entitled an act to suppress gaming : read second time, and

On motion of Mr. Wallace, referred to the committee on the Judiciary.

A bill to be entitled an act to confer upon certain persons therein named, a surname : read second time, and

On motion of Mr. Jewett, was laid upon the table, and made the special order of the day for Wednesday next, at 11 o'clock.

A bill to be entitled an act to authorize William Primm, of Fayette county, to emancipate certain persons therein named : read second time, and on motion of Mr. Dancy, laid upon the table, and made the special order of the day for Wednesday next.

A bill to be entitled an act to empower certain persons therein named to inherit the estate of William Primm : read second time, and

On motion of Mr. Clark, was made the special order of the day for Wednesday next.

On motion of Mr. Bourland, the Senate adjourned until tomorrow morning, 10 o'clock.

Tuesday, 10 o'clock, A.M. }
January 11th, 1848. }

Senate met—roll called. The following Senators answered to their names :

Messrs. Abbott, Bourland, Brashear, Bache, Burleson, Clark, Cuny, Dancy, Gage, Grimes, Jewett, KeRae, Navarro, Par-

ker, Perkins, Phillips, Wallace, Williams, Williamson and Wooten—quorum present.

The Journal of the preceding day was read and adopted.

Mr. Wallace presented the petition of William B. Andrews, praying for relief; which on motion of Mr. Wallace was referred to the committee on the Judiciary.

Mr. Clark presented the petition of Thomas Cox, of Panola county, praying the passage of an act allowing him to emancipate certain children; which on motion of Mr. Clark, was referred to the committee on the Judiciary.

Mr. Clark presented the petition of Ann Matilda Mason and Joseph Mason, praying for relief: which on motion of Mr. Clark, was referred to the committee on Claims and Accounts.

The President of the Senate announced a communication endorsed "Election Returns for Senator from Galveston," which on motion of Mr. Burleson, was referred to the committee on Privileges and Elections.

Mr. Grimes, chairman of the committee on Finance, laid before the Senate the following communication from the State Treasurer, which was read, and

On motion of Mr. Grimes, laid on the table for the inspection of Senators.

State Treasurer's Office, }
January 10th, 1848. }

*To the Honorable JESSE GRIMES,
Chairman of the Finance Committee of the Senate :*

Sir—In answer to the resolution of the Hon. Senate, instructing the committee on Finance to report the amount of money in the Treasury at the adjournment of the last Legislature, &c., &c., I have the honor to state : that a few days previous to the time fixed upon for the adjournment of the Legislature I made a count of the monies on hand in the Treasury at the time, and also ascertained the probable amount required to pay off the members and officers of the Legislature, and the amount then due the Executive and Judicial officers of the government. The result was that I found barely sufficient funds to pay the entire amount due for pay and expenses of the Legislature. Desiring to show no partiality and mete out equal justice to all, I determined upon making as near as possible a pro rata divis-

ion of the money among all claimants—which at the adjournment I accordingly done.

The members of the Legislature for the balance that was due them after the pro rata payment, received from the Comptroller orders upon the back of their pay certificates, upon either the Assessor and Collector, Sheriff or County Treasurer of their respective counties ; which I believe generally answered them as well as the money would have done—the orders being promptly paid upon presentation.

The Executive and Judicial officers were paid the pro rata fixed upon, upon presentation of their claims, and receiving the balance due them out of the first receipts of the Treasury.

Although there was no law authorizing me to fix upon such a distribution, I deemed the situation of the Treasury at that time required it, and am confident that it gave more general satisfaction, than for me to have paid the entire amount of the first claims presented, and left others for a time without a dollar. Had I not pursued the course I did, many of the officers of government would have had to wait for some time without one dollar of the amount of pay that was due them from the organization of the State government, up to the time of the adjournment of the Legislature.

I am unable to state the exact amount of money on hand at the precise time specified in the Senate's resolution, but from examination find that it was about *twenty-one thousand dollars*, on the 1st day of May, A. D. 1846, being a few days previous to the time mentioned.

The situation of the Treasury at present, forbids the belief that any similar course will be required to be pursued this present Legislature, and I trust this will be the case for a long time to come.

I have the honor to be, very respectfully,

Your obedient servant,

JAS. H. RAYMOND,

State Treasurer.

A message was received from the House of Representatives, through their chief clerk, informing the Senate that the House had passed the following joint resolutions and bills :

Joint resolutions to provide for a settlement of the accounts of E. W. Moore, Post Captain commanding the late Navy of Texas :

Joint resolution for the relief of persons who furnished supplies for the late Navy of Texas : and

A bill to be entitled an act to amend the 3d section of an act providing for the transfer of records of administrators to new counties, approved 13th May, 1846.

Mr. Perkins, Chairman of the Committee on Engrossed Bills, made the following Report :

Committee Room,
January 11th, 1848.

Hon. JOHN A. GREER,
President of the Senate :

The committee on Engrossed Bills have examined the following bills, viz.: A bill to be entitled an act to prohibit the recovery of money, property, or other article of value lost or won on bets or wagers : A bill to be entitled an act to make Robert Franklin Miller the lawful heir of Solomon Miller : A bill to be entitled an act to amend the 3d section of an act providing for the transfer of records of administrators to new counties, approved May 13th, 1846 :—which they have directed me to report correctly engrossed.

S. W. PERKINS, Chairman.

Mr. Grimes, chairman of the committee on Finance, made the following report :

Austin, Jan. 10th, 1848.

Hon. JOHN A. GREER,
President of the Senate :

The committee on Finance, to whom was referred an act appropriating five thousand dollars for the contingent expenses of both Houses of the Legislature, have had the subject under consideration, and have instructed me to report the bill back to the Senate, and recommend its passage.

JESSE GRIMES, Chairman.

Mr. Grimes, chairman of the committee on Finance, made the following report :

Austin, January 10th, 1848.

HON. J. A. GREER,
President of the Senate :

The committee on Finance to whom was referred "a joint resolution for the relief of Assessors and Collectors of Taxes," have had the subject under their consideration, and instructed me to return the joint resolution back to the Senate, with an amendment, and recommend its passage.

Amendment—Strike out the caption, and insert "Joint Resolution appropriating four thousand dollars for the compensation of Assessors of direct taxes, for taking the enumeration of the inhabitants of the State for the year 1847."

JESSE GRIMES, Chairman.

Mr. Abbott, chairman of the committee on Enrolled Bills, made the following report :

Committee Room, }
Jan 11th, 1848. }

HON. JOHN A. GREER,
President of the Senate :

The committee on Enrolled Bills have compared an act to admit Franklin B. Sexton, Asa H. Willie, and Josiah F. Crosby, to practice law in the courts of this State ;

An act to provide for the permanent location of the county seat of Grayson county ; and

An act the better to define the boundaries of Graysan county, with the Engrossed copies of said bills, and have instructed me to report them correctly Enrolled. Said bills were transmitted to the Governor on the 10th instant, for approval.

W. C. ABBOTT, Chairman.

A message was received from the House, through its chief

clerk, informing the Senate that the House had adopted a resolution, appointing Messrs. Tankersley, Runnels and Haynie, a committee to examine into, and report the condition of the offices of Comptroller and Treasurer of the State, and request a like appointment on the part of the Senate.

On motion of Mr. Jewett, a committee was appointed to act in conjunction with the committee of the House, to examine into and report the condition of the offices of Comptroller and Treasurer of the State.

Messrs. Jewett, McRae and Wootten were appointed said committee.

Mr. Cuny offered the following Resolution:

"*Resolved*, That the committee on Contingent Expenses be instructed to contract with the proprietors of the Texas Democrat for the printing of copies of the biennial report of the Comptroller of the State of Texas, for the use of the members of the Senate."

On motion of Mr. Wallace, the blank was filled with 315, and the resolution was adopted.

Mr. Phillips offered the following Resolution:

"*Resolved*, by the Senate, That a *ministerial* officer has no right to act in a *judicial capacity*: that when money is appropriated by law, the Treasurer is bound by his oath of office to pay drafts under the law so passed, till the appropriation is exhausted."

On motion of Mr. Williamson, laid on the table until tomorrow.

Mr. Wallace introduced a bill to be entitled an act to amend the 18th section of the "act, entitled an act, punishing crimes and misdemeanors," approved 21st December, 1836; read first time.

Mr. Perkins introduced a bill to be entitled an act for the relief of Seth Ingram; read first time.

Mr. Wallace introduced a bill to be entitled an act to authorize and require the Secretary of State to cause all the unbound acts and joint resolutions of the Congress of the Republic of Texas, and of the Legislature of the State, to be bound in volumes: read first time.

The Senate proceeded to the Orders of the Day.

A bill to be entitled an act to regulate the salaries of District Attorneys; read a third time and passed.

A bill to be entitled an act to prohibit the Boards of Land

Commissioners in each county in this State, from issuing certificates to any claimant whatsoever, unless the applicant or claimant shall previously thereto have received a conditional certificate from some competent board; read second time, and

On motion of Mr. Wallace, made the special order of the day for to-morrow.

A bill to be entitled an act to prohibit the recovery of money or any article of value lost or won on bets or wages was taken up.

Mr. Wallace moved a reconsideration of the vote of yesterday, ordering the bill to be engrossed.

The Yeas and Nays were called, and stood thus:

Yeas—Messrs. Bourland, Brashear, Burleson, Cuny, Wallace, Williams, Williamson and Wootten—8.

Nays—Messrs. Abbott, Bache, Clark, Dancy, Gage, Grimes, Jewett, Navarro, Parker, Perkins and Phillips—11.

So the motion to reconsider was lost.

The Yeas and Nays were then called on the final passage of the bill, and stood thus:

Yeas—Messrs. Abbott, Bache, Clark, Dancy, Gage, Grimes, Jewett, Navarro, Parker, Perkins, Phillips, Wallace and Williams—13.

Nays—Messrs. Bourland, Brashear, Burleson, Cuny, Williamson and Wootten—6.

So the bill was passed.

A bill entitled an act to make Robert Franklin Miller the lawful heir of Solomon Miller.

Read third time and passed.

A bill to be entitled an act to amend the third section of an act providing for the transfer of records of administrators to new counties, approved 12th May, 1846; read third time and passed.

Joint resolution for the relief of John S. McNairy, together with the report of the committee on private land claims thereon, recommending its passage, was read second time and bill passed to a third reading.

A bill to be entitled an act to establish public schools in the county of Galveston, together with the report of the committee on Education thereon was read second time, and bill passed to a third reading.

A bill to be entitled an act to incorporate the Town of Bonham, in Fannin county; read first time.

Joint resolution to amend the second section of a joint resolution for the relief of the soldiers composing the late first regiment of Infantry; read first time.

Joint resolution relative to frontier protection; read second time, and

On motion of Mr. Phillips, referred, together with the accompanying documents, to the committee on State Affairs.

A bill to be entitled an act to prescribe the times and places of holding the Supreme Court; read second time; and,

On motion of Mr. Jewett, referred to the committee on the Judiciary.

A bill to be entitled an act to amend the third section of the act, entitled an act, concerning slaves, approved February 5th, 1840; read second time, and

On Motion of Mr. Wallace, referred to the committee on the Judiciary.

Joint resolution proposing an amendment of the Constitution; read second time, and

On motion Mr. Clark, referred to the committee on State Affairs.

Joint resolution to provide for a settlement of the accounts of E. W. Moore, Post Captain commanding the late navy of Texas; read first time.

On motion of Mr. Williamson, the rule was suspended, read second time, and referred to a select committee of five, with the accompanying documents.

Messrs. Williamson, Jewett, Phillips, Cuny and Grimes were appointed said committee.

Joint resolution to provide for the relief of persons who furnished supplies for the use of the late navy of Texas; read first time, and,

On motion of Mr. Williamson, the rule was suspended, read second time, and referred to the select committee, to whom was referred joint resolution to provide for the settlement of the accounts of E. W. Moore.

Mr. Dancy offered the following Resolution:

"*Resolved*, That the committee on the Judiciary be instructed to enquire to what extent the laws against *sorcery* and *witchcraft* are in force in the State of Texas; and, if necessary, to report a bill to repeal the same:" rejected.

On motion of Mr. Phillips, the report of the committee on

Claims and Accounts, on the petition of Stewart Perry, was taken up, and referred to a select committee.

On motion of Mr. Gage, the Senate adjourned until to-morrow morning, 10 o'clock.

Wednesday, 10 o'clock, a. m.
January 12th, 1848.

Senate met—roll called—The following Senators answered to their names:

Messrs. Abbott, Brashear, Bache, Burleson, Clark, Cuny, Dancy, Gage, Grimes, Jewett, McRae, Paker, Perkins, Wallace, Williams, Williamson and Wootten—quorum present.

The Journals of the preceding day read and adopted.

Mr. Gage, chairman of the committee on Counties and County Boundaries, made the following report:

Committee Room, }
Austin, January 12th, 1848. }

Hon. JOHN A. GREER,
President of the Senate:

The committee on Counties and County Boundaries, to whom was referred the petition of citizens of Collin county, have considered the same, and are of opinion that the act passed at this session, and now a law of the land, is sufficient to mete out justice to every citizen in said county; that a good location for a county seat can be found within three miles of the centre of said county, the committee entertain no doubt; and that if the object of the petitioners is to be allowed space from the true centre, sufficient to include the present location, which is upwards of six miles from said centre, to allow the same might leave the location of said county seat in the same situation in which it was found at the commencement of the session of the Legislature, and require at its next session a similar act to the one passed at this session; under these con-